



CHESTERFIELD COUNTY BOARD OF SUPERVISORS AGENDA

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Meeting Date: March 11, 2015

Item Number: 8.C.8.b.

Subject:

Set Public Hearing to Consider Code Amendments Relative to Preliminary Subdivision Plats

County Administrator's Comments:

County Administrator:_____

Board Action Requested:

Set April 15, 2015 for public hearing to consider attached ordinance amendments.

Summary of Information:

PLANNING COMMISSION ACTION AND RECOMMENDATION

On February 19, 2015, following a public hearing the Planning Commission by unanimous vote recommended approval of the attached ordinance amendments.

AMENDMENT OVERVIEW

In 2014, the Code of Virginia was amended to eliminate the requirement for mandatory submission of a preliminary plat for subdivisions of fifty (50) or fewer lots, although the subdivider may still choose to submit a preliminary plat for review and approval. In addition to bringing the ordinances into conformance with state law, amendments are suggested to ensure ordinance standards that were normally addressed through the preliminary plat process can now be addressed through other processes for such subdivisions. Further, unrelated to the state law change, the Right-of-Way Section of the Utilities Department has requested an amendment relative to certificate requirements on subdivision plats.

Preparer: Kirkland A. Turner

Title: Director of Planning

Attachments:



Yes



No

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CHESTERFIELD COUNTY BOARD OF SUPERVISORS AGENDA

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Summary of Information (Continued)

The proposed amendments address requirements for subdivisions of 50 or fewer lots processed through the final plat or construction plan process as opposed to the preliminary plat process:

- require posting of property at time of construction plan or final plat submission for such subdivisions to notify the public of such proposals;
- eliminate the minor subdivision process which addresses review and approval of 5 or fewer lots because the need for the process will no longer be necessary;
- require submission of an overall conceptual plan for such subdivisions and clarify the existing requirements for submission of an overall conceptual plan;
- require information previously submitted for preliminary plat review be provided on either final plats or construction plans for such subdivisions;
- require recreational facilities in townhouse projects be completed prior to issuance of building permits for the units unless a phasing plan is approved through preliminary plat review; and
- require that the subdivision certificate on final plats include the term "strips" for property dedicated to the county.

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND REENACTING SECTIONS 17-9, 17-21, 17-22, 17-24, 17-40, 17-42, 17-43, 17-46, 17-47, 17-48, 17-49, 17-50, 17-61, 17-62, 17-68, 17-76, 17-82 AND 17-85 OF THE SUBDIVISION ORDINANCE RELATING TO LOT SUBDIVISIONS THAT ARE NOT SUBJECT TO THE PRELIMINARY PLAT SUBDIVISION PROCESS.

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 17-9, 17-21, 17-22, 17-24, 17-40, 17-42, 17-43, 17-46, 17-47, 17-48, 17-49, 17-50, 17-61, 17-62, 17-68, 17-76, 17-82 and 17-85 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted, to read as follows:

Chapter 17

SUBDIVISION OF LAND

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Sec. 17-9. Fees. In addition to any other required fees, including those fees imposed by state agencies, the fees provided in this section shall be submitted to the planning department in conjunction with the specified application or request.		
Application Type		Fee (in dollars)
Preliminary Subdivision Plat	Initial Submittal plus 2 Revision Submittals	1000 plus 50 per lot
	Fourth and Subsequent Submittals	900
Overall Conceptual Plan (submitted for review separate from Preliminary Subdivision Plat)	Initial Submittal plus 2 Revision Submittals	1100
	Fourth and Subsequent Submittals	900
Construction Plan Review	Initial Submittal plus 2 Revision Submittals	1400 plus 70 per lot or parcel
	Fourth and Subsequent Submittals	1000
Construction Plan Adjustment		500 per submittal
Lot Subdivision Final Plat		1600 plus 30 per lot
Minor Subdivision Final Plat		1600 plus 30 per lot
Amended or Line Modification Final Plat		85 per lot or parcel
Residential Parcel and Family Subdivision Final Plat		100 per lot or parcel
Onsite Sewage Disposal System Soils Analysis Review		155 per lot or parcel
Major Change to Approved Plat		1000 per submittal

Technical Correction Letter per Requested Change	100
Exceptions to Subdivision Requirements Sec. 17-8	1000 per ordinance section ^[1]
Deferral Request from Planning Commission Public Hearing/Meeting	1000 for first deferral plus 2000 for each deferral thereafter ^[2]
Written Verification of Subdivision or Subdivision Interpretation	150
[1] This fee is in addition to fees applicable to a subdivision plat review.	
[2] Fee to be paid by applicant requesting or consenting to deferral.	

Sec. 17-21. Procedure for subdivision approval.

A. Following is a summary of the approval procedure for subdivisions:

1. **Overall Conceptual Plan.** An overall conceptual plan shall be submitted for certain proposed subdivisions as required in Sec. 17-42.
2. **Preliminary Plat.** All proposed lot subdivisions involving more than 50 lots ~~except minor subdivisions~~, must submit a preliminary plat for approval. When a preliminary plat is not required, such plat for a lot subdivision may be submitted voluntarily at the discretion of the subdivider. If an overall conceptual plan is required it shall be submitted in conjunction with the preliminary plat, if required by this chapter.
3. **Construction Plan.** Construction plans, where required, shall be the first step in the final plat process. For residential lot subdivisions requiring preliminary plat or an overall conceptual plan, construction plans ~~may~~ shall not be submitted until after a preliminary plat is approved applicable approvals. For a subdivisions minor or residential parcel subdivision which are not being reviewed through the preliminary plat or overall conceptual plan processes, construction plans may be submitted in conjunction with the initial final plat review.
4. **Final Plat.** Final plats are required for all previously unrecorded lot subdivision plats, parcel plats, amended plats or and line modification plats ~~and minor subdivision plats~~.
5. **Recordation.** After the director of planning or planning commission has provided comments on the final plat, the subdivider may submit the final plat for recordation. Once the final plat has been recorded, lots or parcels in the subdivision may be sold.
6. **Changes.** Changes to subdivision applications shall be as provided in Sec. 17-26.

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Sec. 17-22. Preliminary conference and concurrent review.

- A. A subdivider may request a voluntary preliminary conference with the plans review team prior to submitting preliminary plat, ~~or~~ construction plan or final plat applications. The purpose of the preliminary conference is to expedite application review by identifying

and resolving project-specific major development issues prior to initial application. The preliminary conference shall address, at a minimum, the following areas:

1. Environmental
 2. Fire and Life Safety
 3. Transportation
 4. Utility capacity/connection
 5. Zoning/conditions of zoning
- B. The subdivider and the subdivider's design professional shall attend the preliminary conference and must submit, at least one week before the conference, at least five full-sized copies of a draft plat or plan incorporating sufficient detail to depict the subdivision proposal and to evaluate the major areas listed above.
- C. Plats or plans submitted within six months after a preliminary conference in accordance with this section shall be provided a concurrent review between county and state agencies.

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Sec. 17-24. Posting of public notice.

- A. Upon receipt of a complete application the director of planning shall post a sign on the subject property to inform the public of such application when submitted for:
- ~~a preliminary plat or minor subdivision plat, a~~
 - ~~preliminary plat incorporating Major Changes as defined in Sec. 17-85,~~
 - ~~construction plan, or final plat if no construction plan is required, for a lot subdivision of 50 lots or fewer when the developer has chosen not to submit a preliminary plat; and~~
 - ~~or an exception in accordance with Sec. 17-8, the director of planning shall post a sign on the subject property to inform the public of the application.~~

The notice provided for by this section shall be posted upon the subject property and at reasonable intervals along streets abutting the subject property, or, if there is no abutting street, then at the proposed street access(es) to the property. The notice shall be posted in locations reasonably visible from abutting street(s).

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Sec. 17-40. Preliminary plat review and approval process.

- A. **Preliminary Required.** ~~Except as provided for Minor Subdivisions in Sec. 17-50, every proposed residential lot subdivision shall be submitted to the director of planning in the form of a preliminary plat prior to the submission of a final plat or required construction plans. Preliminary plats shall be required for any lot subdivision involving more than 50 lots or as required by a condition of zoning. Preliminary plats for subdivisions involving 50 or fewer lots shall be submitted where required by zoning~~

approval or at the discretion of the subdivider. Preliminary plats whether required or voluntary shall be submitted to the director of planning and shall be subject to the provisions of this chapter. If required by section 17-42, an overall conceptual plan in accordance with this chapter shall accompany a preliminary plat application.

As part of the preliminary plat review, the submission of an overall conceptual plan in accordance with Sec. 17-42 and Sec. 17-85 shall be required for subdivisions incorporating phases for future development that may be residential or a mixture of residential and nonresidential, unless approved through schematic plan. In addition, property required by zoning to submit an overall conceptual plan shall do so.

Prior to submission of a final plat or construction plans the applicable preliminary plat shall be approved.

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Sec. 17-42. Overall conceptual plan.

An overall conceptual plan shall be submitted when:

1. required by zoning;
2. proposed subdivision of land includes phases for future development to include residential, nonresidential or a mixture of both; or
3. proposed subdivision is located within the bounds of a zoning approval, that involves phases for development to include, residential, nonresidential or a mixture of both which have not received schematic plan approval and the full area within such zoning approval is not encompassed by submitted preliminary or final plat.

If an overall conceptual plan is not required by this chapter, a subdivider may submit such plan separate from other review applications. Approval of an overall conceptual plan shall be required prior to the approval of preliminary plat, application for construction plan or submission of final plat for any subdivision for which an overall conceptual plan is required or submitted.

Sec. 17-423. Overall conceptual plan process and required information.

A. Overall conceptual plan. The overall conceptual plan shall:

1. Indicate the portion of the plan covered by ~~the~~ any pending preliminary plat, construction plan or final plat application;
2. Incorporate all area up to the limits of the parcel(s) controlled by conditions of zoning for the development;
3. Incorporate valid preliminary and recorded final plats located within its boundaries; and
4. Be updated and submitted with each required preliminary plat resubmittal. For the final phase of development, the overall conceptual plan may not be required to be updated if agreed upon by the plans review team during a discussion of the final phase at a preliminary conference.

5. The overall conceptual plan shall be drawn at a scale that will fit on a single 24 inches by 36 inches plan sheet, and provide the following information:
 - a. Pods with approximate acreage, proposed use, and density.
 - b. Phasing lines.
 - c. Information specified for overall conceptual plan in Sec. 17-56
- ~~B. Except as required in Sec. 17-40, an overall conceptual plan may be submitted by the subdivider separate from other applications for review and shall be subject to review standards of this chapter.~~

Secs. 17-434--17-45. Reserved

Sec. 17-46. Final plat purpose and types.

The final plat, once approved and recorded with the circuit court, serves to modify, create or transfer property as provided by the individual plat and in accordance with this chapter. To accomplish this there are several processes available for a potential subdivider based upon applicable criteria. A final plat shall be required for any unrecorded lot or residential parcel subdivision.

1. Construction plans: Construction plan review and approval shall be the first step of the final plat process. Construction plans are intended to show graphically improvements and facts needed for the director of planning and state agencies to determine whether the development of the proposed subdivision is in compliance with the approved preliminary plat, state law, the Code and provisions of this chapter. Construction plans shall be required for subdivisions that include engineered improvements, at the determination of the directors of environmental engineering, planning, or utilities.
2. Lot subdivision final plat: A lot subdivision final plat shall be required for any unrecorded lot subdivision plat in accordance with Secs. 17-48.--17-50.
3. ~~Minor subdivision final plat~~: ~~A minor subdivision final plat is exempt from the preliminary plat process for certain subdivisions involving no more than five lots along a local street subject to criteria of Sec. 17-50. and Sec. 17-85. If construction plans are required, this plat shall serve as the last step in the final plat process.~~
- 3.4. Residential parcel subdivision final plat: A residential parcel subdivision final plat involves the subdivision of land for which a preliminary plat is not required, into two or more parcels each being five acres or more in accordance with the provisions of Sec. 17-51 and Sec. 17-85. If construction plans are required, this plat shall serve as the last step in the final plat process.
- 4.5. Family subdivision final plat: A family subdivision final plat provides for the subdivision of land for eligible family members through the parcel plat process in

accordance with Sec. 17-52 and Sec. 17-85. If construction plans are required, this plat shall serve as the last step in the final plat process.

5.6. Amended final plat: An amended final plat is an alteration of a recorded plat which does not involve property line changes as provided in Sec. 17-85. Such plats shall be reviewed under the lot subdivision plat process or parcel plat process, as applicable.

6.7. Line modification final plat. A line modification final plat involves the adjustment of one or more lots or parcels within a recorded subdivision plat, provided that such changes do not create any additional lot(s) or parcel(s) in accordance with Sec. 17-26 and Sec. 17-85.

Sec. 17-47. Construction plan process.

A. Construction plan required. Construction plans are required for subdivisions that include engineered improvements, at the determination of the directors of environmental engineering, planning, or utilities.

B. Procedure.

1. Prior to submittal of construction plans for residential lot subdivisions, overall conceptual plan or preliminary plat approval shall be obtained as applicable.
2. For ~~minor subdivisions and~~ parcel plats which require construction plans, such review may be concurrent with final plat review.
3. The following shall be provided for construction plan review:
 - a. An application form containing basic subdivider and project information, pursuant to the administrative procedure of the director of planning. In addition, for lot subdivisions for which a preliminary plat has not been approved, any applicable items required for preliminary plat as provided in Sec. 17-41 and Sec. 17-56 shall be provided on the construction plan.
 - b. Sets of construction plans consistent with administrative procedures.
 - c. ~~Erosion and sediment control~~ Applicable stormwater management and water quality fees as required by Sec. 8-135 and Sec. 8-30 of the Code.

C. Approval. Approved construction plans shall be valid for five years from the date of approval.

Sec. 17-48. Lot subdivision final plat process.

A. Eligibility and Procedure.

1. For lot subdivisions involving a preliminary plat or overall conceptual plan review, Pprior to submitting a final plat application and plat, the subdivider shall obtain preliminary plat required approvals.

2. If construction plans are required, such plans shall have been deemed substantially approvable for all areas depicted on the final plat prior to submittal. However, such construction plans must be approved prior to any plat recordation.
3. Preliminary plat and construction plan approval must be unexpired prior to final plat application submittal. However, preliminary plat approval may expire after final plat application submittal without affecting the validity of the final plat application.
4. Unless otherwise specified, subdivision final plats shall be reviewed and approved under the administrative review and approval procedure set forth in this chapter. A final plat may be reviewed by the planning commission at the direction of the director of planning if the subdivider and the director of planning differ as to the plat's compliance with the Code or conditions of zoning.

B. Plat required. The subdivider shall prepare a subdivision final plat which is in accordance with the provisions of this chapter and provides, at a minimum, the information required in Sec. 17-49.

Final plats may depict all or an approved phase or section of an approved preliminary plat and construction plans, provided that for any final plat:

1. Public improvements to be constructed in the area covered by the final plat are sufficient by and of themselves to accomplish a proper development and to provide adequately for the health, safety and convenience of the proposed residents, and for adequate access; and
2. The section limits of the final plat shall have a continuous boundary that encompasses the entire section in one contiguous parcel.

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Sec. 17-49. Application and plat.

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B. Plat requirements.

1. The final plat sheet(s) shall be 16 inches by 24 inches, or as otherwise provided by state law. Plats shall be drawn at a scale no greater than one inch equals 50 feet for residential townhouse subdivisions or one inch equals 100 feet for other subdivisions. Upon request, the director of planning may approve variations in scale.
2. The final plat sheet(s) shall be prepared, signed and sealed by an engineer or surveyor. Final plat shall be based upon field survey and not a compiled plat.
3. The final plat shall conform to requirements of the approved preliminary plat and construction plans.
4. The final plat shall contain the following certificates:
 - a. Surveyor's certification stating "To the best of my knowledge and belief this plat is in compliance with all of the requirements as set forth in the ordinance for

approving plats of subdivisions in Chesterfield County, Virginia. Monuments will be set by (insert date)."

- b. Subdivision certificate stating "The platting or dedication of the following described land (here insert a correct description of the land to be subdivided) is with the free consent and in accordance with the desire of the undersigned owners, proprietors, and trustees, if any. All easements, ~~and~~ streets and strips are of the width and extent shown and are dedicated to the county free and unrestricted by any previous agreements or easements except as noted on this plat as of the time of recordation. The dedication of easements to the county includes granting the right to make reasonable use of adjoining land for construction and maintenance of public facilities within the boundaries of easements shown thereon. All easements are for surface and underground drainage and underground utilities except as otherwise stated on this plat." If there is an easement granted for street light installation, it shall be included in this statement and read as follows "An additional easement of five feet on all lots adjacent to rights-of-way is dedicated to the County of Chesterfield for future street light installation." This statement shall be signed by such person(s) and duly notarized.
 - c. Source of title signed by the preparer of the plat setting forth the source of the title of the owner(s) of the land subdivided, stating the date, deed book and page, and the place of record of the last instrument in the chain of title. When the plat is of land acquired from more than one source of title, the outlines of the several parcels shall be indicated upon such plat.
5. A signature block shall be provided on the first sheet of the plat for the director of planning, director of environmental engineering, and planning department. Each additional sheet shall provide a signature block for the director of planning.
 6. The final plat shall provide information specified in Sec. 17-56 and other information deemed necessary by the director of planning to achieve the purposes and standards of this chapter.

Sec. 17-50. Minor subdivision final plat. RESERVED

~~**A. Process Eligibility.** The minor subdivision process is intended to provide a plat review process for certain proposed lot divisions which, by the limited scope of proposed improvements and impact, do not require the preliminary plat review process.~~

~~Proposed minor subdivisions shall be subject to the following criteria:~~

- ~~1. There shall be no more than five lots total in the subdivision and each must front on an existing local street.~~
- ~~2. No street shall be created, extended, or realigned.~~
- ~~3. No extension of water or wastewater lines is required.~~

- ~~4. The subdivision shall have current CBPA compliance, and shall be located outside of the Swift Creek Reservoir drainage area.~~
- ~~5. The subdivision does not affect environmental features, based on information provided by the subdivider and approved by the director of environmental engineering.~~
- ~~6. Installation of stormwater improvements is not required, as determined by the director of environmental engineering.~~
- ~~7. Right of way shall be dedicated along all existing streets, as determined by the director of transportation.~~
- ~~8. The subdivision shall comply with fire department access requirements of Sec. 17-76.~~

B. Procedure.

- ~~1. Unless otherwise specified, minor subdivision final plats shall be reviewed and approved under the administrative review and approval procedure set forth in this chapter. Minor subdivision final plats may be reviewed by the planning commission, as follows:~~
 - ~~a. At the direction of the director of planning if the subdivider and the director of planning differ as to the plat's compliance with the Code or conditions of zoning;~~
~~or~~
 - ~~b. Receipt by director of planning of a transfer request as provided in Sec. 17-24.~~
- ~~2. For minor subdivisions requiring construction plans, such plans may be submitted in conjunction with the plat application. Construction plan approval shall be required and shall not have expired prior to recordation of the final plat.~~

C. Plat Approval. ~~The approval requirements and process shall be the same as for residential lot subdivision final plats as provided in Sec. 17-48.~~

D. Application and Plat information required. ~~Any application or plat submitted shall be in accordance with Sec. 17-48 and Sec. 17-49, as applicable.~~

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Sec. 17-61. Conformity to applicable requirements.

All subdivision plats and plans shall comply with this chapter and the following, as applicable:

1. The provisions of the Code of Virginia §§ 15.2-2240--15.2-2279.
2. Chapter 8 of the Code, stormwater management and water quality ~~erosion and sediment control~~ ordinance.
3. Chapter 10 of the Code, fire protection ordinance.
4. Chapter 18 of the Code, water and sewers ordinance.
5. Chapter 19 of the Code, zoning ordinance.

6. Chapter 16 of the Code, streets, sidewalks and public places ~~easements~~ ordinance.

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Sec. 17-62. Standard conditions.

The applicability of the following requirements will be determined at the time of subdivision plat approval. These requirements will be referred to as standard conditions without citing this subsection.

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14. The subdivider shall place the following note on the final plats and enforce the restriction through covenants: "No structure embellishments will be allowed on right-of-way without the commitment of, or issuance of, a VDOT land use permit. Within the ten-foot clear zone (measured from the edge of the street pavement out ten feet), no structural embellishment will be permitted that is closer than three feet from the edge of pavement of the street or higher than six inches above the surface of the drive." Prior to approval of the preliminary plat or final plat for lot subdivisions not being reviewed through the preliminary plat process, the subdivider will submit an acknowledgement of the condition regarding masonry embellishments within the VDOT clear zone, on a form available from the department of environmental engineering. This acknowledgment is the responsibility of the subdivider as the subdivider is ultimately responsible for the removal of clear zone encroachments in all new subdivisions.

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20. Building envelopes as shown on the preliminary plat, along with any other directed by ~~the director of environmental engineering~~ the plans review team, shall be placed on the construction plans and final plat.

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Sec. 17-68. Easements.

Easements for public use shall be provided, including, but not limited to:

1. Easements 16 feet in width for proposed or possible water, wastewater, and drainage improvements. Easements of greater width may be required by the director of environmental engineering for drainage purposes or by the director of utilities for utility purposes.
2. Easements eight feet in width shall be provided along the rear of the lot.
3. Easements eight feet in width along the side lot lines where the side property line is the rear of another lot.
4. Easements of variable width as required by VDOT for slope, drainage, and sight distance identified on construction plans.

5. Easements to address conditions of zoning or plan review approval. ~~preliminary plat and construction plan approval.~~

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Sec. 17-76. Arrangement and Design.

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- H. Subdividers of all parcels or lots located at existing or proposed crossovers along collector and arterial streets, and any break in the median of an existing or planned divided street, shall submit and receive approval of a plan from the director of transportation which addresses access for the surrounding area. Such plan must be approved prior to or in conjunction with preliminary plat approval or for a subdivision not submitting a preliminary plat, prior to any construction plan approval. The director of transportation may require the subdivider to provide access to adjacent properties.

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Sec. 17-82. Sidewalks.

Subdividers shall provide sidewalks in accordance with the planning commission residential sidewalk policy on all streets where they qualify for VDOT or county maintenance, and any additional or other locations if required as a condition of zoning or schematic plan approval, or as a requirement of VDOT. Exceptions to the planning commission residential sidewalk policy shall be at the discretion of the planning commission or directors of transportation, planning and environmental engineering.

Sidewalk requirements shall be determined through the ~~preliminary plat~~ plan review process as determined by the county. The sidewalks shall be shown on the preliminary plat, construction plan and ~~may be if~~ required on the overall conceptual plan. Construction may be phased as approved by the county, but as a minimum, shall be bonded and constructed with each section recorded where the sidewalk is located.

The subdivider shall construct all sidewalks required by the planning commission residential sidewalk policy per the design standards contained herein. Where sidewalks qualify for maintenance by VDOT or the county, they shall be designed and installed in accordance with VDOT standards. For all private sidewalks, the subdivider shall demonstrate long term maintenance responsibility in accordance with Sec. 19-559.

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Sec. 17-85. Definitions.

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Minor subdivision: ~~A subdivision creating five or fewer lots which is exempted from the preliminary plat process, unless otherwise provided by condition of zoning, and which is subject to the plat provisions of this chapter.~~

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Overall conceptual plan: A preliminary plan sheet depicting the general layout of streets, pods, major utility lines and drainage facilities as specified in this chapter.

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Residential parcel subdivision: The division of any parcel of land for residential use into two or more parcels, all of which are ~~more than~~ five acres or more subject to the provisions of this chapter

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Subdivision: The division of any parcel of land in A, R, R-TH or MH-2 Districts, or any other district permitted by zoning for residential uses, for residential use into two or more lots or parcels, or any division within these districts for residential use which creates or extends a street.

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(2) *That this ordinance shall become effective immediately upon adoption.*

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD,
1997, AS AMENDED, BY AMENDING AND REENACTING SECTIONS 19-62, 19-105,
19-240.2, 19-261, 19-521, 19-523, 19-526 AND 19-551 OF THE ZONING
ORDINANCE RELATING TO LOT SUBDIVISIONS THAT ARE NOT
SUBJECT TO THE PRELIMINARY PLAT SUBDIVISION PROCESS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 19-62, 19-105, 19-240.2, 19-261, 19-521, 19-523, 19-526 and 19-551 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted, to read as follows:

Chapter 19

ZONING

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Sec. 19-62. Additional provisions relative to flood hazard mitigation.

Within the special flood hazard areas, the following additional provisions shall be met:

- (a) All electric water heaters, electric furnaces and other critical electrical installations shall be permitted only at elevations at least one foot above the base flood elevation.
- (b) Water supply systems, sanitary waste water systems and gas and oil supply systems shall be designed to preclude infiltration of floodwaters into the systems and discharges from the systems into floodwaters. Design and construction shall be in accordance with requirements of the Virginia Uniform Statewide Building Code.
- (c) Adequate drainage shall be provided to minimize exposure to flood heights.
- (d) The preliminary plat, or the construction plan if a preliminary plat was not submitted, requirements shall include a map showing the location of the proposed subdivision and/or land development with respect to any designated floodplain district, including information on, but not limited to, the base flood elevations, boundaries of the floodplain districts, proposed lots and sites and fills and areas subject to special deed restrictions.
- (e) A building permit application shall include the location of the base flood, if previously determined.

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Sec. 19-105. Required conditions.

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- (m) *Common area.* A minimum of 30 percent of total gross acreage shall be provided as common area. Except where groups of lots front or abut a public street, a common area that is a minimum of five feet in width shall be provided adjacent to all groups of lots.

Common area shall include designated land conveniently accessible within the development suitable for recreational use by the occupants. Common area shall be not less than 10 percent of the total gross acreage of the project, and in no event shall total less than 1 ½ acres. Recreational facilities, including active and passive recreation and community buildings shall be provided, as deemed appropriate during ~~preliminary subdivision~~ plan review approval. Unless a phasing of recreational facilities is approved through preliminary plat, required recreational facilities shall be completed prior to issuance of building permits for townhouses. Where a phasing of recreational facilities is approved through a preliminary plat, the issuance of building permits for townhouses shall be in conjunction with the approved phasing of recreational facilities in accordance with the approved preliminary plat.

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Sec. 19-240.2. Canopy requirements.

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- (b) *Tree canopy master plan.*
- (1) All preliminary subdivision plats, and all final plats for which a preliminary plat was not submitted, which are submitted after December 11, 2013 shall include a tree canopy master plan for review and approval.

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Sec. 19-261. Schematic plans.

- (a) Unless a master plan or similar plan has been approved at the time of zoning approval, a schematic plan shall be submitted for any project containing a mixture of residential and nonresidential uses. Prior to site plan approval, or preliminary plat approval, or final plat approval if a preliminary plat was not submitted, approval the schematic plan shall be approved by the planning commission.

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Sec. 19-521. General provisions for buffers and screening.

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(k) Except for buffers required by the board of supervisors as a condition of zoning or by the board of zoning appeals, the requirements for buffers required by Sec. 19-523.B. may be waived and/or modified during subdivision plan review and approval under any of the following conditions:

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- (3) Subsequent to preliminary plat approval or construction plan approval if a preliminary plat was not submitted, the director of transportation and the director of planning may administratively authorize modification to buffer widths adjacent to publicly funded collector or arterial road projects up to a maximum of 20 feet along an arterial road and 10 feet along a collector road to facilitate public easements and/or right-of-way. In no case shall the buffer width be reduced to less than 25 feet within which no easement encroachment is permitted.

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Sec. 19-523. Buffer width and landscaping requirements.

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B. <u>Buffers adjacent to roads for lot subdivisions.</u> Unless otherwise specified, for property located within a lot subdivision, as defined in Chapter 17, the required width and planting density of buffers adjacent to roads shall be determined through this table. Within each of the designated areas, the left column represents the road classification, the middle column represents the required buffer width, and the right column designates the required landscaping to be provided within the buffer.					
Upper Swift Creek Special Buffer Area for Preliminary plat Lot Subdivision approved after October 2007			All other areas ^[1]		
Road Classification	Buffer Width	Equivalent Perimeter Landscaping ^{[2][3]}	Road Classification	Buffer Width	Equivalent Perimeter Landscaping ^{[2][3]}
Residential Collector	30	1.8 x B	Residential Collector	30	1.8 x B
Collector	35	2.1 x B	Collector	35	2.1 x B
Arterial	100	3 x B	Arterial	50	3 x B
^[1] For lots recorded on or after February 28, 2001. Lots recorded prior to that date shall comply with applicable conditions of development approval.					
^[2] Post construction vegetation shall be equivalent to the multiplier times the Perimeter Landscaping B requirements of Sec. 19-518 of the Code. For buffer widths not specified, treatment shall meet the standards of the next highest buffer width and in no case shall it exceed 3 x B.					
^[3] Required plantings may be modified or reduced as provided in section 19-521.					

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Sec. 19-526. Crossovers.

- (a) A crossover, as used in this article, shall mean any break in the median of a divided road.
- (b) Developers of all parcels or lots located at existing or proposed crossovers shall submit a plan which addresses access for the surrounding area to the director of transportation for approval, prior to approval of site plan, or preliminary plat or construction plan for lot subdivisions not submitting a preliminary plat approval. The director of transportation may require the owner(s) of such parcels or lots to provide shared access to adjacent properties by easements and/or public rights-of-way.

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Sec. 19-551. Street frontage required--Residential and Agricultural.

- (a) Lots or parcels located within Residential or Agricultural districts shall be subject to the following street frontage requirements:
 - (1) Unless otherwise specified in this chapter, any lot or parcel, used in whole or in part for dwelling purposes, shall have at least 50 feet of frontage on a street.
 - (2) After February 27, 2001, for lots within a lot subdivision as defined in Chapter 17, the required frontage shall be at least 50 feet upon a local street provided that such frontage may be reduced to 30 feet on the bulb of a permanent cul-de-sac, at the radial terminus of a loop street, or on the flagpole portion of a flag lot.
 - (3) Lots or parcels created through the family subdivision provisions of Chapter 17 shall have a minimum of 15 feet of frontage on a street.
 - (4) Unless otherwise specified in this chapter, where lots are permitted to front on arterial, collector or residential collector streets, the minimum frontage shall be at least 50 feet and the number and location of driveways shall be approved by the director of transportation.
 - (5) No lot or parcel abutting the terminus line of a public street shall be considered to have frontage unless it has frontage on a recorded cul-de-sac of at least 30 feet or is located along the terminus line of a stub street as defined in Sec. 17-85 of the Code, provided that the stub street is not anticipated to be extended and is approved as frontage, through the preliminary ~~or minor subdivision~~ plat review process.

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- (2) *That this ordinance shall become effective immediately upon adoption.*